

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MICHAEL COX,

Plaintiff

v.

BERNETTE MASON, *et al.*,

Defendants

No. 4:22cv1824

(Judge Munley)

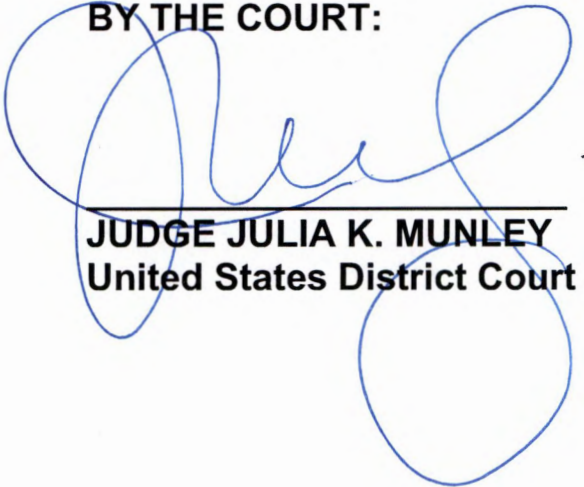
ORDER

AND NOW, to wit, this 23rd day of July 2024, upon consideration of the medical defendants' motion (Doc. 39) to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6), and the parties' respective briefs in support of and in opposition to said motion, and for the reasons set forth in the accompanying memorandum, it is hereby **ORDERED** that:

1. The motion (Doc. 39) is **GRANTED** in part and **DENIED** in part.
 - a. The motion is **GRANTED** with respect to the claims against Dr. Baddick and Dr. Loscalzo, the Monell claim against Wellpath, LLC, f/k/a Correct Care, LLC, and the ADA claim against all medical defendants.
 - b. The Clerk of Court is directed to **TERMINATE** Dr. Baddick, Dr. Loscalzo, Wellpath, LLC, and Correct Care, LLC as defendants in this action.
 - c. The motion is **DENIED** with respect to the Eighth Amendment claim against defendant Williams.

2. Defendant Williams shall file an answer on or before August 12, 2024.
3. Discovery, which is limited to the remaining Eighth Amendment claim against defendant Williams, shall be completed on or before January 13, 2025. In accordance with Local Rule of Court 5.4(b), the parties shall refrain from filing discovery requests with the court.
4. Dispositive motions shall be filed on or before February 12, 2025.
5. No extensions of the pre-trial schedule shall be granted absent good cause. See FED. R. CIV. P. 16(b).
6. Any motions or briefs filed after the expiration of the applicable deadline, without prior leave of court, shall be stricken from the record.
7. The scheduling of a final pre-trial conference and the trial date of this matter is deferred pending disposition of dispositive motions.
8. Any appeal from this order is **DEEMED** frivolous and not taken in good faith. See 28 U.S.C. § 1915(a)(3).

BY THE COURT:



JUDGE JULIA K. MUNLEY
United States District Court